

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

LANDON WHITBY, an individual; RUTH CAROLINA WHITBY, an individual; ETHAN WHITBY, a minor; ISABEL WHITBY, a minor; GABRIEL WHITBY, a minor; SAVANNAH WHITBY, a minor; IOULIA KOUPRINA, an individual; KIRILL KOUPRINA, a minor; ANNA KOUPRINA, a minor; VERA KOUPRINA, a minor; GALINA KOUPRINA, a minor; WILLIAM JHANDI, an individual; TERESA JHANDI, an individual; BLANCIS JHANDI, a minor; DEBORA JHANDI, a minor; BRETT JENSON, an individual; MIRANDA JENSON, an individual; SETH JENSEN, a minor; BRETT JENSEN, a minor; JEANNETTE MCGHEE, an individual; JOSEPH MCGHEE, a minor; MARIE CORBIN, a minor; ADRIAN WHITTENBURG, an individual; ANISA WHITTENBURG, a minor; ADRIAN WHITTENBURG II, a minor; CONSUELO GUERRERO, an individual; TRISHA GUERRERO, an individual; ASHLEY GUERRERO, a minor; EDUARDO GUERRERO, a minor; VICTORIA NAYAK, an individual, MAYA FLORES, a minor; TAMMY COLE, an individual; BRANDON COLE, a minor; DÁUD NAWAEY, an individual; SHOKRIA NAWAEY, an individual; AREZO NAWAEY, a minor; ARASH NAWAEY, a minor; RICARDO RICO, an individual; MAYLYNDELOW RIMORIN, an

CASE NO. 14CV1633-LAB BLM
(CONSOLIDATED WITH CASE NO.
15CV355)

(Assigned for all purposes to the Honorable
Larry A. Burns)

**COMPLIANCE STATUS REPORT OF ANI
S. SARICH OF CPT GROUP REGARDING
DISTRIBUTION OF SETTLEMENT**

1 individual; JUSTIN RICO, a minor; JASMIN
2 RICO, a minor; ELLE STOKES, an individual;
3 CARTER STOKES, a minor; BREAN WEBB, a
4 minor; CALEB WEBB, a minor; CHLOE WEBB,
5 a minor; DEREK MARTINEZ, a minor;
6 MICHAEL WILLIAMS, an individual; BONNIE
7 BARROWS, an individual; RICHARD GARCIA
8 BARROWS, a minor; EMILY WILLIAMS, a
9 minor; HAILEY GARCIA BARROWS, a minor;
10 AVION SMALLWOOD, an individual; AIDEN
11 WILLIAMS, a minor; ARIEL SMALLWOOD, a
12 minor; JAMAINE SMALLWOOD, a minor;
13 RAFAEL RAMIREZ, an individual; OFELIA
14 RAMIREZ, an individual; RAFAEL RAMIREZ,
15 JR., a minor; RICARDO RAMIREZ, a minor;
16 REBECCA RAMIREZ, a minor; JESUS
17 ALFONSO FLORES, an individual; ANGELICA
18 FLORES, an individual; ARISET FLORES, a
19 minor; ADRELL FLORES, a minor; and others
20 similarly situated,

21 Plaintiffs,

22 vs.

23 CHELSEA INVESTMENT CORPORATION, a
24 California corporation; CIC PHR, LP, a California
25 limited partnership; PHR INCLUSIONARY,
26 LLC, a California limited liability company; CIC
FAIRBANKS, L.P., a California limited
partnership; DDS FAIRBANKS, LLC, a
California limited liability company; CIC LA
COSTA, L.P., a California limited partnership;
DDC LA COSTA, LLC, a California limited
liability company; CIC CALAVARA, L.P., a
limited partnership; CIC CALAVARA HILLS II,
LLC, a California limited liability company;
SILVER SAGE CIC, L.P., a California limited
partnership; CIC SILVER SAGE LLC, a
California limited liability company; CIC
LANDINGS, L.P., a California limited liability
company; AJAX-LANDINGS, LLC, a California
limited liability company; CIC MANAGEMENT
INC., a California corporation; CONAM
MANAGEMENT CORPORATION, a California
corporation; ROSIE TERRIQUEZ, an individual;
and DOES 1-500,

27 Defendants.
28

1 I, Ani S. Sarich, declare as follows:

2 1. I am the Case Manager for CPT Group, Inc. ("CPT"), the Court-appointed class
3 action claims administrator for Whitby, et al. v. Chelsea Investment Corporation, et al. I have
4 personal knowledge of the facts set forth in this declaration and, if called upon to testify, I could
5 and would testify competently to such facts.

6 2. CPT has extensive experience in providing notice of class actions and
7 administering class action settlements. In the past 30 years, we have provided notification and/or
8 claims administration services in hundreds of class action cases.

9 3. CPT provided notice of the settlement and disbursed the funds in this action. In
10 this capacity, on July 8, 2016, CPT obtained an EIN from the IRS and opened an interest-bearing
11 bank account through East West Bank. This account was titled Whitby v Chelsea Investment
12 Corp Fund, also known as the Qualified Settlement Fund (QSF).

13 4. On November 4, 2016, the Court granted final approval of the Settlement in this
14 matter.

15 5. Between July 13, 2016 and March 28, 2017, the settlement account was funded an
16 amount of \$1,519,999.94. This payment was sufficient in paying Attorneys' fees and Expenses,
17 the Class Representative awards, and the Settlement Class Guardian Ad Litem.

18 6. On April 7, 2017, CPT issued a wire transfer to Wilson Law Group PC
19 representing attorneys' fees and costs in the amount of \$1,025,000.00.

20 7. On April 13, 2017, a check was issued from the QSF and payable to each Class
21 Representative, totaling \$295,000.00. Of the sixty-nine (69) Class Representatives, sixty-seven
22 (67) received an award of \$4,000.00. The remaining two (2), Landon and Ruth Whitby, each
23 received an award of \$13,500.00.

24 8. On November 7, 2017, a check was issued from the QSF and payable to JAMS,
25 Inc., representing payment for the Settlement Class Guardian Ad Litem, in the amount of
26 \$5,640.00.

27 9. Between February 14, 2018 and March 8, 2018, the settlement account was funded
28 an additional amount of \$91,833.98. Accrued interest in the amount \$431.08 was available in the

1 account, resulting in a balance of \$92,265.06. This amount was sufficient in paying the
2 Participating Claimants and Claims Administrator's fees and expenses.

3 10. On March 30, 2018, a check was issued from the QSF and payable to CPT Group
4 Inc., representing administration fees in the amount of \$88,000.00.

5 11. On March 21, 2018, CPT Group issued four hundred ninety-one (491) checks
6 from the QSF representing the Settlement payments for the Participating Claimants. The checks
7 were payable to each of four hundred ninety-one (491) Participating Claimant families for their
8 respective settlement amounts which totaled \$198,625.00. These settlement checks are valid for
9 180 days from the date the checks were issued and mailed, which results in a September 17, 2018
10 expiration date.

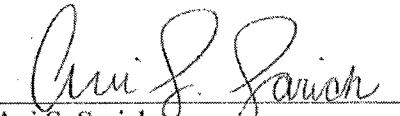
11 12. On April 2, 2018, CPT issued reversion checks to the Defendants' insurers as a
12 result of a calculation error which resulted in the Settlement being overfunded. The total
13 overpayment was \$5,550.13.

14 13. On May 7, 2018 CPT issued checks to two (2) Participating Claimant families
15 who indicated that one or more members of the family no longer lived at the same address. CPT
16 voided the original checks, and issued checks payable to each family member for his or her
17 respective amount. These settlement checks are valid for 180 days from the date the checks were
18 issued and mailed, which results in a November 3, 2018 expiration date.

19 14. As of the date of this declaration, the amount of the outstanding checks is
20 \$17,175.00.

21 15. Disbursements to Plaintiffs' Counsel and the Class Representatives were
22 completed in compliance to the Final Order and Class Settlement Agreement.

24 I declare under penalty of perjury under the laws of the State of California that the foregoing
25 is true and correct. Executed on this 3rd day of August, 2018 at Irvine, California.

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27
28 
Ani S. Sarich